

**GEOLOGIST SECTION  
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,  
HYDROLOGISTS AND SOIL SCIENTISTS  
MINUTES  
AUGUST 18, 2005**

**PRESENT:** Thomas Evans, Joan Underwood Fallon, Sue E. Bridson, and William N. Mode

**STAFF PRESENT:** Kimberly Nania, Division Administrator; Tim Wellnitz, Bureau Director; William Black, Legal Counsel; Darwin Tichenor, Exam Specialist; Pat Schenck, Program Assistant; Mark Herman, Attorney, Division of Enforcement, and other Division of Enforcement Staff

**GUESTS:** Brenda Halminiak  
Duane Klein, WDATCP  
David Swimm, Dept of Commerce

**CALL TO ORDER**

Thomas Evans, Chair, called the meeting to order at 9:00 a.m. A quorum of three members was present.

**AGENDA**

**MOTION:** William Mode moved, seconded by Sue Bridson, to approve the agenda as published. Motion carried unanimously.

**ELECTION OF OFFICERS FOR 2005**

**MOTION:** Sue Bridson moved, seconded by William Mode, to nominate Thomas J. Evans as Chair. Motion carried unanimously.

**MOTION:** Joan Underwood Fallon moved, seconded by Sue Bridson, to nominate William N. Mode as Vice Chair. Motion carried unanimously.

**MOTION:** William Mode moved, seconded by Thomas Evans, to nominate Sue E. Bridson as Secretary. Motion carried unanimously.

**APPOINT REPRESENTATIVES FOR SCREENING PANEL BY BOARD CHAIR**

Thomas J. Evans will serve as the screening panel member for 2005.

**MOTION:** Joan Underwood Fallon moved, seconded by Sue Bridson, to nominate Thomas J. Evans as the screening panel member to February 16, 2006. Motion carried unanimously.

### **APPROVAL OF MINUTES SEPTEMBER 9, 2004**

**MOTION:** Joan Underwood Fallon moved, seconded by William Mode, to approve the minutes of September 9, 2004 as written. Motion carried unanimously.

### **ADMINISTRATIVE REPORT KIMBERLY NANIA, DIVISION ADMINISTRATOR**

Secretary Celia Jackson greeted the Section and thanked the members for their service. Secretary Jackson stated that she is looking forward to working with the Boards and Sections, emphasized her open door policy, and asked the members if they had any questions or concerns. The building restoration project is underway and the Department may be moving into the new space at the front of the current building in October.

The Section questioned whether additional funding would be available for Section members to participate in more than one meeting during a fiscal year. The Section would like to attend the National Association of State Boards of Geology (ASBOG) annual meeting and actively participate in the ASBOG geology exam workshops and two such workshops is held each year.

### **Section Member Introductions – Sue Bridson and William Mode**

Dr. Nania introduced Tim Wellnitz as the new Bureau Director of Business, Design professions, introduced the new members Sue Bridson and William Mode, and reported that Larry Martin, Executive Assistant replaced Chris Klein who has moved to the Department of Transportation.

### **2006 Meeting Dates**

**MOTION:** William Mode moved, seconded by Joan Underwood Fallon, to approve the 2006 meeting dates as scheduled. Motion carried unanimously.

### **Summary Reports on Pending Court Cases, Disciplinary Cases, and Administrative Rules and Press Release of Disciplinary Orders**

Noted.

### **Travel and Hotel Policy**

Dr. Nania reported on the Department's hotel and travel policies. Section members are to notify the Department if they will not be attending a Section meeting. It is the Section member's responsibility to cancel their room reservation if they will not be attending a meeting. If the Department cancels a meeting, Department staff will cancel all hotel reservations.

## **PRESENTATION OF STIPULATIONS BY DIVISION OF ENFORCEMENT**

Mark Herman, Attorney, presented the proposed stipulation in the matter concerning Jeffrey L. Fischer 02 GEO 002

### **TRAVEL**

#### **ASBOG's 2005 Annual Meeting - Portland, Maine, November 1-6, 2005 (nominate delegate)**

**MOTION:** Joan Underwood Fallon moved, seconded by Willaim Mode, to nominate Thomas J. Evans as the voting delegate to attend ASBOG's 2005 Annual Meeting in Portland, MA on November 1-6, 2005. Motion carried unanimously.

### **LEGISLATIVE/ADMINISTRATIVE RULES UPDATE**

None.

### **INTER-AGENCY LIAISON COMMITTEE DISCUSSION**

Mr. Evans reported that the Inter-Agency Liaison Committee consisted of one member from the Geologist Section, one member from the Soil Science Section, one member from the Hydrologist Section along with staff from the Department of Natural Resources, Department of Commerce and the Department of Agriculture and Consumer Protection. The general goal of the Committee was to bring various agencies like the Department of Agriculture, Trade, and Consumer Protection (DATCP), Commerce, Department of Natural Resources (DNR) together to attempt to obtain consistency relating to provisions in the administrative codes as it corresponds to the Board's licensure requirements.

The Committee met to review the discrepancies in rules and overlapping rules regarding geologist, hydrologist, and soil scientists. The Committee stopped meeting when the heads of the Departments were going to meet.

### **PETROLEUM ENVIRONMENTAL CLEANUP FUND ACT (PECFA) DISCUSSION**

#### **Proposed PECFA Rules Changes**

Mr. Black reported on the status of the proposed PECFA Rule changes. The Section reviewed the changes to Section 7. The proposed rule changes will have an impact on Geologists business.

### **ASBOG**

#### **ASBOG 2004 Annual Meeting Boise Idaho, November 1-7, 2004 Report – Joan Underwood**

Joan Underwood reported on the ASBOG 2004 Annual Meeting she attended in Boise, Idaho on November 1-7, 2004. Highlights of the meeting included:

- Budgeting and participation of states in the COE

- Preparation of voting delegates in ASBOG annual meetings
- Response to the proposed EPA environmental certification program
- Ethics Committee – reporting or discussion of ethical issues in newsletter
- Examination issues, fees and access fees

### **SFUND-2004-0001 Discussion**

The Section reviewed California's response to the proposed EPA environmental certification program.

### **Charter and Bylaws**

Information only.

### **2004 Assessment of Financial Condition**

Information only.

### **Access to National Examinations**

Information only.

### **Letter to South Carolina House of Representatives**

Information only.

## **EXAMINATION ISSUES**

Darwin Tichenor reported on the March 2005 Geology Examination results of the Fundamentals of Geology and the Principles and Practice of Geology examinations. The Section reviewed the Geologist Exam results by Schools.

## **SECTION MEMBER ACTIVITY**

The Section members gave brief reports on activities undertaken since the last meeting.

## **PRACTICE ISSUES**

None.

## **NEW BUSINESS**

**MOTION:** William Mode moved, seconded by Joan Underwood Fallon, to invite Brenda Halminiak to participate in closed session. Motion carried unanimously.

## **CLOSED SESSION**

**MOTION:** Joan Underwood Fallon moved, seconded by William Mode, to convene to Closed Session to deliberate on cases following a hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g). Motion carried by role call vote: Thomas Evans-yes,, Sue E. Bridson-yes; William Mode-yes; and Joan Underwood Fallon-yes.

Convene to Closed Session at 10:50 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Joan Underwood Fallon moved, seconded by William Mode, to reconvene into Open Session at 11:15 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

#### **STIPULATION**

#### **JEFFREY L. FISCHER 02 GEO 002**

**MOTION:** Joan Underwood Fallon moved, seconded by William Mode, to adopt the Final Decision and Order, Findings of Fact, Conclusions of Law, Order, and Stipulation in the matter concerning **Jeffrey L. Fischer 02 GEO 002**. Motion carried unanimously.

#### **SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

Dr. Nania thanked Joan Underwood Fallon for all the work and service she has provided for the Section and the Department and thanked her on behalf of the Department, the Governor's Office, and the citizens of Wisconsin.

#### **ADJOURNMENT**

**MOTION:** William Mode moved, seconded by Sue Bridson, to adjourn the meeting at 11:30 a.m. Motion carried unanimously.

**NEXT MEETING: FEBRUARY 16, 2006**